

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Private Aided Junior Colleges – Hon'ble High Court – Implementation of the Hon'ble High Court Interim orders dated 3-9-2012 in W.P.M.P.No.13229 of 2012 in W.P.No.3847 of 2008 filed by Ch.Padmakar, Physical Director, Dr.B.R.Amdekar Memorial Junior College, Tenali, Guntur District and common Interim orders dated 17-9-2012 in W.P.M.P. No. 20884 of 2011 in W.P.No.4574 of 2008 filed by Gudala Vijaya Sree, Librarian, S.D.S.M.Junior College, Tenali, Guntur District and W.P.M.P.No.13224 of 2012 in W.P.No.8811 of 2008 filed by Bojja Obulareddy, Physical Director, S.K.P. Junior College, Badvel, Kadapa District and W.P.M.P.No.20866 of 2011 in W.P.No.9353 of 2008 filed by Desabathula Ratna Kumar, Physical Director, V.T. Junior College, Rajahmundry for admission into Grant-in-Aid – Orders - Issued.

SCHOOL EDUCATION (I.E.) DEPARTMENT

G.O.RT.No. 164

Dated:29-04-2015

Read the following:-

1. From the Hon'ble High Court Interim orders dated 3-9-2012 in W.P.M.P.No.13229 of 2012 in W.P.No.3847 of 2008.
2. From the High Court common Interim orders dated 17-9-2012 in W.P.M.P. No. 20884 of 2011 in W.P.No.4574 of 2008 and W.P.M.P.No.13224 of 2012 in W.P.No.8811 of 2008 and W.P.M.P.No.20866 of 2011 in W.P.No.9353 of 2008.
3. From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/1055/1999, dated 01-11-2012.
4. Govt.Memo No.42351/IE(1)/2004, dated 01-06-2013.
5. From the Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/1055/1999, dated 09-07-2013 & 18-10-2013.
6. From Commissioner of Intermediate Education, A.P., Hyderabad Lr.Rc.No.Admn.I-B-2/1055/1999, dated 17-5-2014.

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ORDER:

In the reference 1st cited, the Hon'ble High Court in its orders dated 3-9-2012 in W.P.M.P.No.13229 of 2012 in W.P.No.3847 of 2008 filed by Sri Ch.Padmakar, Physical Director, Dr.B.R.Amdekar Memorial Junior College, Tenali, Guntur District, has passed the following order:-

"....The petitioner, as is noticed, is working from 16-7-2002. A decade's time has passed by. He has not seen the colour of the copper so far. It will be so difficult for anyone to survive in these hard days. It is, therefore, appropriate that respondents 1 and 2 herein shall be directed to admit the Writ Petitioner also to Grant-in-Aid and pay him at the minimum of the pay with effect from 01-10-2012 subject to the result of W.P.No.3847 of 2008, as was done in earlier cases"

2. In the reference 2nd cited, the Hon'ble High Court in its common orders dated 17-9-2012 in W.P.M.P.No.20884 of 2011 in W.P.No.4574 of 2008 filed by Gudala Vijaya Sree, Librarian, S.D.S.M.Junior College, Tenali, Guntur District and W.P.M.P.No.13224 of 2012 in W.P.No.8811 of 2008 filed by Bojja Obulareddy, Physical Director, S.K.P. Junior College, Badvel, Kadapa District and W.P.M.P.No.20866 of 2011 in W.P.No.9353 of 2008 filed by Desabathula Ratna Kumar, Physical Director, V.T. Junior College, Rajahmundry has passed the orders that—

"I have perused the order dated 03-09-2012.

....the above observations apply on all fours to the present three cases as well. Hence, the same order will hold good even in the instant cases."

3. The Commissioner of Intermediate Education, A.P., Hyderabad in the reference 3rd read above stated that Sri Ch.Padmakar, Physical Director, Dr.B.R.Amdekar Memorial Junior College, Tenali, Guntur District, Smt.Gudala Vijaya Sree, Librarian, S.D.S.M.Junior College, Tenali, Guntur

District, Sri Bojja Obulareddy, Physical Director, S.K.P. Junior College, Badvel, Kadapa District and Sri Desabathula Ratna Kumar, Physical Director, V.T. Junior College, Rajahmundry, East Godavari District were appointed during the ban period irregularly by the then Commissioner of Intermediate Education. They were not admitted into Grant-in-Aid. They filed W.P.No.3847 of 2008, W.P.No.4574 of 2008, W.P.No.8811 of 2008 and W.P.No.9353 of 2008 for admission of their services into Grant-in-Aid.

4. In the reference 4th and 5th cited, the Commissioner of Intermediate Education, A.P., Hyderabad has further stated that out of above (4) Writ Petitioners, the appointments of Sri Bojja Obulareddy, Physical Director, S.K.P. Junior College, Badvel, Kadapa District and Sri Desabathula Ratna Kumar, Physical Director, V.T. Junior College, Rajahmundry, East Godavari District were not approved by the Secretary, Board of Intermediate Education, A.P., Hyderabad. Permission was accorded to 63 PDs and Librarians in Aided Junior Colleges by the then Commissioner of Intermediate Education during the ban period without the permission of the Government. Out of them 58 Physical Director/Librarians were admitted to Grant-in-Aid by the then Commissioner. The remaining five were not admitted to Grant-in-Aid. The Government in Memo No.42351/IE.II-1/2004 dated 02.01.2010 directed to cancel all (63) irregular appointments, after issuing Show Cause Notice and to treat the said Physical Directors and Librarians as contract appointments since they were made in contravention of the orders issued by the Government. Accordingly Show Cause Notices were issued to all the 63 Physical Director / Librarians vide this office Procs.Rc.No. Admn.I-B-2/1055/2002-1 dated 12.01.2010. Aggrieved by that, the Physical Directors/Librarians filed Writ Petitions before the High Court and they are continuing and drawing Grant in aid salaries as per interim directions of the Court. The remaining 5 Physical Director/ Librarians have not been admitted to Grant in Aid. Further one of these 5 persons namely Sri P. Venugopala Reddy, Physical Director, S.V. Junior college, Nellore was admitted to Grant-in-Aid basing on the orders of High court dated 27.04.2006 vide G.O.Ms.No.25 dated 20.04.2012. Thus 4 persons remain to be considered.

5. The above (4) Writ Petitioners have also filed Contempt cases No.586 of 2014, C.C.No.1275 of 2014, 1276 of 2014 and 1277 of 2014 for not implementing the Hon'ble Court Interim orders dated 3-9-2012 in W.P.M.P.No.13229 of 2012 in W.P.No.3847 of 2008 and common Interim orders dated 17-9-2012 in W.P.M.P.No.20884 of 2011 in W.P.No.4574 of 2008, W.P.M.P.No.13224 of 2012 in W.P.No.8811 of 2008 and W.P.M.P.No.20886 of 2011 in W.P.No.9353 of 2008.

6. The matter has been examined in detail and Government hereby permit the Commissioner of Intermediate Education, A.P., Hyderabad for admitting the services of Sri Ch.Padmakar, Physical Director, Dr.B.R.Ambedkar Memorial Junior College, Tenali, Guntur District, Smt.Gudala Vijaya Sree, Librarian, S.D.M.S. Junior College, Vijayawada into Grant-in-aid and pay them at the minimum of the pay w.e.f.01-10-2012 subject to result of WP.Nos.3847 of 2008, 4574 of 2008. The services of Sri Bojja Obulareddy, Physical Director, S.K.P. Junior College, Badvel, Kadapa District and Sri Desabathula Ratna Kumar, Physical Director, V.T. Junior College, Rajahmundry are also admitted into Grant-in-aid and pay them at the minimum of the pay w.e.f.01-10-2012 subject to the result of WP.Nos.8811 of 2008 and 9353 of 2008 and also subject to approval of appointments by the Secretary, Board of Intermediate Education, to avoid further legal complications in the Contempt Case proceedings.

7. The Commissioner of Intermediate Education, Hyderabad shall take further action accordingly.

8. This order issues with the concurrence of the Finance (HR.I) Dept. vide their U.O.No.124/A1/HR.I/2015, dated 22-4-2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.P. SISODIA,
SECRETARY TO GOVERNMENT

To
The Commissioner of Intermediate Education, A.P., Hyderabad.

The individuals through Commissioner of Intermediate Education, Hyderabad.
The Secretary, Board of Intermediate Education, A.P., Hyderabad.

Copy to:

The Director of Treasuries & Accounts, Hyderabad.

The District Treasury Officer, Guntur, Vijayawada, Kadapa, East Godavari District.

The Director of Local Fund Accounts, Hyderabad.

The Govt. Pleader for H.E. Dept., A.P. High Court, Hyderabad.

The Finance (HR.I) Dept.

SF/SC.

// Forwarded :: By Order //

SECTION OFFICER